

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-242-E - ORDER NO. 2002-173  
MARCH 11, 2002

IN RE: South Carolina Electric & Gas Company,	)	
	)	
Complainant/Petitioner,	)	
	)	
vs.	)	ORDER EXTENDING
	)	TIME FOR BRIEFS
Aiken Electric Cooperative, Inc.,	)	
	)	
Defendant/Respondent.	)	
	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Request of South Carolina Electric & Gas Company (SCE&G) for the allowance of time for oral arguments by counsel after testimony has been received for this case, and for permitting the subsequent filing of briefs and/or proposed orders. Commission Regulation 103-875 states that, without special permission, all briefs must be filed within thirty (30) days of the hearing on a matter. In the present case, the hearing was held February 28, 2002.

SCE&G, through correspondence to the Commission dated February 21, 2002, requested that the Commission grant time for oral arguments by counsel, and that briefs or proposed Orders be permitted thereafter. SCE&G's request provided that counsel for Aiken Electric Cooperative, Inc. (Aiken Electric) filed its brief in advance of the

presently scheduled hearing. According to SCE&G, it has generally been the practice of the Commission to receive briefs or proposed orders following a hearing, and in this case as well, this is SCE&G's preference so that a brief concerning testimony elicited on cross-examination may be included.

As previously stated, pursuant to Regulation 103-875, the time in which to file briefs shall not exceed thirty (30) days from the close of the hearing without special permission granted by the Commission. We have examined this matter, and it is the Commission's opinion that transcripts of the hearing would be useful in preparing the briefs and/or proposed orders. However, the transcripts will not be prepared in time to give the parties ample opportunity to prepare a reasonable brief and/or proposed order, and still meet the 30 day deadline after the hearing.

The Commission granted SCE&G's request for providing time for oral arguments after testimony was received in this case, and permits the subsequent filing of briefs and/or proposed orders. Additionally, the Commission grants special permission allowed by Regulation 103-875 to file and serve briefs and/or proposed orders more than thirty (30) days after the hearing, but within thirty (30) days of the availability of the transcript of the hearing. The Commission believes this period would allow the parties a reasonable opportunity to prepare a brief and/or a proposed order with the use of the transcript. Accordingly, briefs and/or proposed orders shall be due thirty (30) days after the Transcripts become available. The Commission Staff shall notify the parties of the availability of the transcript.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Chairman

ATTEST:

Executive Director

(SEAL)